

IT IS HEREBY ADJUDGED  
and DECREED this is SO  
ORDERED.

The party obtaining this order is responsible for  
noticing it pursuant to Local Rule 9022-1.

Dated: February 18, 2010



**TIFFANY & BOSCO**  
P.A.

**2525 EAST CAMELBACK ROAD**

**SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

*Randolph J. Haines*

**RANDOLPH J. HAINES**  
U.S. Bankruptcy Judge

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

10-01674 [REDACTED]

**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF ARIZONA**

IN RE:

Cary Bruce Fanning  
Debtor.

Wells Fargo Bank, N.A.  
Movant,

vs.

Cary Bruce Fanning, Debtor, William E. Pierce,  
Trustee.

Respondents.

No. 0:10-bk-01056-RJH

Chapter 7

ORDER

(Related to Docket #12)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated July 24, 2006 and recorded in the office of the  
3 Mohave County Recorder wherein Wells Fargo Bank, N.A. is the current beneficiary and Cary Bruce  
4 Fanning has an interest in, further described as:

5 Lot 8, Block 6, of TRACT 2202, LAKE HAVASU CITY, ARIZONA, according to the plat  
6 thereof recorded April 5, 1967, at Fee No. 23726, in the office of the County Recorder of Mohave  
County, Arizona.

7 EXCEPTING THEREFROM all underground water in, under or flowing through said land and  
8 water rights appurtenant thereto.

9 EXCEPT all oil, gas, coal and minerals already found or to be found in or under said land.

10 EXCEPT all oil, gas, coal and minerals as reserved in Deed from Santa Fe Pacific Railroad  
11 Company, a corporation, in Deed recorded in Book 65 of Deeds, Page 226, but only from a depth  
of 500 feet below the surface thereof.

12 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written  
13 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
14 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
15 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against  
16 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

17 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
18 to which the Debtor may convert.

19  
20 DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

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22 \_\_\_\_\_  
JUDGE OF THE U.S. BANKRUPTCY COURT  
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